

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PRIME TIME TOYS, LTD.,

Plaintiff,

-against-

MANLEY TOY DIRECT, LLC, MANLEY TOY
QUEST, INC., and J.C. PENNEY, INC.,

Defendants.

Case No. 08-2335 (RMB)

ECF CASE

**MOTION TO ADMIT COUNSEL
PRO HAC VICE**

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Court for the Southern and Eastern Districts of New York, I, Randy M. Friedberg, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of

Applicant's Name: Rod S. Berman, Esq.
Firm Name: Jeffer, Mangels, Butler & Marmaro LLP
Address: 1900 Avenue of the Stars, 7th Floor
City/State/Zip: Los Angeles, California 90067
Telephone/Fax: (310) 203-8080 / (310) 203-0567

Rod S. Berman is a member in good standing of the Bar of the State of California.

There are no pending disciplinary proceedings against Rod S. Berman in any State of Federal Court.

Dated: New York, New York
April 10, 2008

OLSHAN GRUNDMAN FROME
ROSENZWEIG & WOLOSKY LLP

By:

Randy M. Friedberg (RF-8645)
*Attorneys for Defendant Manley Toy
Direct, LLC*
Park Avenue Tower
65 East 55th Street
New York, New York 10022
(212) 451-2300
Fax: (212) 451-2222

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PRIME TIME TOYS, LTD.,

Plaintiff,

-against-

MANLEY TOY DIRECT, LLC, MANLEY TOY
QUEST, INC., and J.C. PENNEY, INC.,

Defendants.

Case No. 08-2335 (RMB)

ECF CASE

**AFFIDAVIT OF RANDY M.
FRIEDBERG IN SUPPORT OF
MOTION TO ADMIT COUNSEL
*PRO HAC VICE***

STATE OF NEW YORK)
) ss.
COUNTY OF NEW YORK)

RANDY M. FRIEDBERG, being duly sworn, hereby deposes and says as follows:

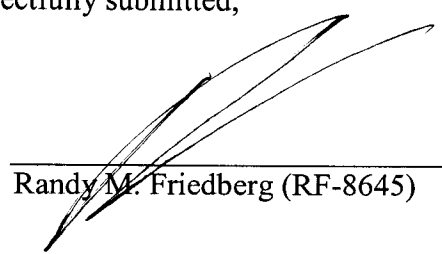
1. I am a partner at Olshan Grundman Frome Rosenzweig & Wolosky LLP, counsel for Defendant Manley Toy Direct, LLC in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Defendant Manley Toy Direct, LLC's motion to admit Rod S. Berman, Esq. as counsel *pro hac vice* to represent said company in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in April 9, 1986. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I know Rod S. Berman both personally and professionally.
4. Rod S. Berman is a partner at Jeffer, Mangels, Butler & Marmaro LLP.
5. I have found Rod S. Berman to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Rod S. Berman, *pro hac vice*.
7. I respectfully submit a proposed order granting the admission of Rod S. Berman, *pro hac vice*, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Rod S. Berman, *pro hac vice*, to represent Defendant Manley Toy Direct, LLC in the above captioned matter, be granted.

Dated: New York, New York
April 10, 2008

Respectfully submitted,

By:


Randy M. Friedberg (RF-8645)

Sworn to before me this
10th day of April 2008


Notary Public

Julianne M. Foley
Notary Public, State of New York
No. 01FO6127483
Qualified in Nassau County
Commission Expires May 23, 2009

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PRIME TIME TOYS, LTD.,

Plaintiff,

-against-

MANLEY TOY DIRECT, LLC, MANLEY TOY
QUEST, INC., and J.C. PENNEY, INC.,

Defendants.

Case No. 08-2335 (RMB)

ECF CASE

**ORDER FOR ADMISSION
PRO HAC VICE
ON WRITTEN MOTION**

Upon the motion of Randy M. Friedberg, attorney for Defendant Manley Toy Direct, LLC, and said sponsor attorney's affidavit in Support;

IT IS HEREBY ORDERED that

Applicant's Name: Rod S. Berman, Esq.
Firm Name: Jeffer, Mangels, Butler & Marmaro LLP
Address: 1900 Avenue of the Stars, 7th Floor
City/State/Zip: Los Angeles, California 90067
Telephone/Fax: (310) 203-8080 / (310) 203-0567
Email Address: RBerman@jmblm.com

is admitted to practice *pro hac vice* as counsel for Defendant Manley Toy Direct, LLC in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the *pro hac vice* fee to the Clerk of the Court.

Dated: New York, New York

United States District/Magistrate Judge

Randy M. Friedberg (RF-8645)
Christine W. Wong (CW-7683)
OLSHAN GRUNDMAN FROME ROSENZWEIG & WOLOSKY LLP
Park Avenue Tower
65 East 55th Street
New York, New York 10022
(212) 451-2300
Attorneys for Defendant MANLEY TOY DIRECT, LLC

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PRIME TIME TOYS, LTD.,

Plaintiff,

v.

MANLEY TOY DIRECT, LLC,
MANLEY TOY QUEST, INC., and J.C.
PENNEY, INC.

Defendants.

ECF Case

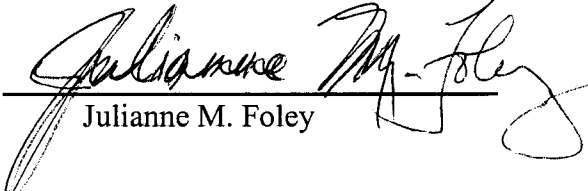
No. 08 CV 02335

CERTIFICATE OF SERVICE

I, JULIANNE M. FOLEY, am not a party to this action and am over the age of 18, and certify under penalty of perjury that on April 10, 2008, I served a true copy of the **MOTION TO ADMIT COUNSEL PRO HAC VICE, AFFIDAVIT OF RANDY M. FRIEDBERG IN SUPPORT OF MOTION TO ADMIT COUNSEL PRO HAC VICE, PROPOSED ORDER and CERTIFICATE OF GOOD STANDING FOR ROB S. BERMAN, ESQ.** by first class mail upon

Chester Rothstein
Holly Pekowsky
Michael Patrick Kenney
Neil Mark Zipkin
Amster, Rothstein & Ebenstein LLC
90 Park Avenue
New York, NY 10016
212-336-8000
Fax: 212-3368001

by depositing a true copy thereof, enclosed in postpaid, properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Postal Service within New York State at the addresses designated below for said purpose.



Julianne M. Foley

United States District Court

Central District of California

CERTIFICATE OF GOOD STANDING

I, SHERRI R. CARTER, Clerk of this Court, certify that

Rod S. Berman, Bar No. 105444


was duly admitted to practice in this Court on June 30, 1983

and is in good standing as a member of the Bar of this Court.

Dated at Los Angeles, California

on April 7, 2008
DATE

SHERRI R. CARTER, CLERK

By 
Brenda Brannon, Deputy Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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-against-

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QUEST, INC., and J.C. PENNEY, INC.,

Defendants.

Case No. 08-2335 (RMB)

ECF CASE

**ORDER FOR ADMISSION
PRO HAC VICE
ON WRITTEN MOTION**

Upon the motion of Randy M. Friedberg, attorney for Defendant Manley Toy Direct, LLC, and said sponsor attorney's affidavit in Support;

IT IS HEREBY ORDERED that

Applicant's Name: Brian W. Kasell, Esq.
Firm Name: Jeffer, Mangels, Butler & Marmaro LLP
Address: 1900 Avenue of the Stars, 7th Floor
City/State/Zip: Los Angeles, California 90067
Telephone/Fax: (310) 203-8080 / (310) 203-0567
Email Address: BKasell@jmbm.com

is admitted to practice *pro hac vice* as counsel for Defendant Manley Toy Direct, LLC in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the *pro hac vice* fee to the Clerk of the Court.

Dated: New York, New York

United States District/Magistrate Judge

Randy M. Friedberg (RF-8645)
Christine W. Wong (CW-7683)
OLSHAN GRUNDMAN FROME ROSENZWEIG & WOLOSKY LLP
Park Avenue Tower
65 East 55th Street
New York, New York 10022
(212) 451-2300
Attorneys for Defendant MANLEY TOY DIRECT, LLC

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Plaintiff,

v.

MANLEY TOY DIRECT, LLC,
MANLEY TOY QUEST, INC., and J.C.
PENNEY, INC.

Defendants.

ECF Case

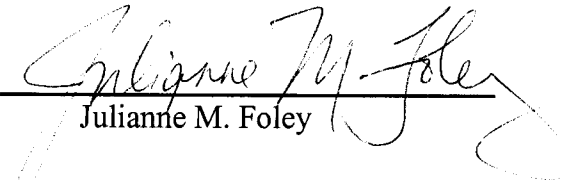
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Chester Rothstein
Holly Pekowsky
Michael Patrick Kenney
Neil Mark Zipkin
Amster, Rothstein & Ebenstein LLC
90 Park Avenue
New York, NY 10016
212-336-8000
Fax: 212-3368001

by depositing a true copy thereof, enclosed in postpaid, properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Postal Service within New York State at the addresses designated below for said purpose.



Julianne M. Foley

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Firm Name: Jeffer, Mangels, Butler & Marmaro LLP
Address: 1900 Avenue of the Stars, 7th Floor
City/State/Zip: Los Angeles, California 90067
Telephone/Fax: (310) 203-8080 / (310) 203-0567

Brian W. Kasell is a member in good standing of the Bar of the State of California.

There are no pending disciplinary proceedings against Brian W. Kasell in any State of Federal Court.

Dated: New York, New York
April 10, 2008

OLSHAN GRUNDMAN FROME
ROSENZWEIG & WOLOSKY LLP

By: _____

Randy M. Friedberg (RF-8645)
*Attorney for Defendant Manley Toy
Direct, LLC*
Park Avenue Tower
65 East 55th Street
New York, New York 10022
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UNITED STATES DISTRICT COURT
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FRIEDBERG IN SUPPORT OF
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*PRO HAC VICE***

STATE OF NEW YORK)
) ss.
COUNTY OF NEW YORK)

RANDY M. FRIEDBERG, being duly sworn, hereby deposes and says as follows:

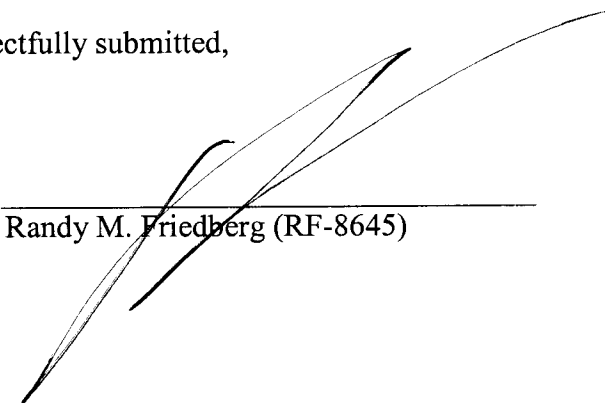
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5. I have found Brian W. Kasell to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Brian W. Kasell, *pro hac vice*.
7. I respectfully submit a proposed order granting the admission of Brian W. Kasell, *pro hac vice*, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Brian W. Kasell, *pro hac vice*, to represent Defendant Manley Toy Direct, LLC in the above captioned matter, be granted.

Dated: New York, New York
April 10, 2008

Respectfully submitted,

By:


Randy M. Friedberg (RF-8645)

Sworn to before me this
10th day of April 2008


Notary Public

Julianne M. Foley
Notary Public, State of New York
No. 01FO6127483
Qualified in Nassau County
Commission Expires May 23, 2009

United States District Court

Central District of California

CERTIFICATE OF GOOD STANDING

I, SHERRI R. CARTER, Clerk of this Court, certify that

Brian W. Kasell, Bar No. 143776

was duly admitted to practice in this Court on June 12, 1990

and is in good standing as a member of the Bar of this Court.

Dated at Los Angeles, California

on April 7, 2008
DATE

SHERRI R. CARTER, CLERK

By Brenda Brannon
Brenda Brannon, Deputy Clerk